

**AGENDA**  
**LANCASTER COUNTY BOARD OF COMMISSIONERS**  
**TUESDAY, OCTOBER 12, 2004**  
**COUNTY COMMISSIONERS HEARING ROOM, ROOM 112**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**1:30 P.M.**

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, October 5, 2004. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.lancaster.ne.gov>).
  
- 2) **SPECIAL PRESENTATIONS:**
  - A. Presentation of a plaque recognizing Wayne Hart's personal and professional contributions to Lancaster Manor. - Larry Van Hunnik, Administrator of Lancaster Manor.
  
  - B. Investment Performance Report - Nationwide Retirement Solutions
  
- 3) **PUBLIC COMMENT:** The public comment period is limited to thirty (30) minutes in duration and each speaker is limited to five (5) minutes. These time limits may be extended at the discretion of the County Board Chair. Comments will be limited to items on the agenda.
  
- 4) **CLAIMS:** Approval of all claims processed through Tuesday, October 12, 2004.
  
- 5) **PUBLIC HEARINGS:**
  - A. **County Final Plat 04075, Oak Prairie Estates**, requested by Brian D. Carstens and Associates on behalf of Oak Prairie, L.L.C., consisting of three lots on property generally located at Northwest 140<sup>th</sup> and West Holdrege Streets in Lancaster County, Nebraska. (See New Business Item 7A and 7B for correlating resolution and subdivision agreement.)
  
  - B. **County Special Permit 04041, Masek's First Addition Community Unit Plan**, requested by Brian D. Carstens and Associates on behalf of 3801 Harney L.L.C., for nine residential acreage units and associated waiver requests, on property generally located southeast of the intersection of Northwest 27<sup>th</sup> Street and West Mill Road in Lancaster County, Nebraska. (See New Business Item 7C for correlating resolution.)

**IF YOU ARE HERE TO PARTICIPATE ON AN ITEM AND NEED SPECIAL  
CONSIDERATION BECAUSE OF A SCHEDULE CONFLICT OR SOME OTHER ITEM,  
PLEASE LET THE CLERK KNOW PRIOR TO THE MEETING SO WE MAY  
ACCOMMODATE YOUR NEEDS.**

5) **PUBLIC HEARINGS CONTINUED:**

- C. **County Preliminary Plat 04019, Masek's First Addition**, requested by Brian D. Carstens and Associates on behalf of 3801 Harney L.L.C., for nine residential acreage lots, and associated waiver requests, on property generally located southeast of the intersection of Northwest 27<sup>th</sup> Street and West Mill Road in Lancaster County, Nebraska. (See New Business Item 7D for correlating resolution.)

6) **OLD BUSINESS:**

- A. Acceptance of proposal and agreement with the Lincoln League of Women Voters to assist with voter registration sites and provide election night workers in Lancaster County. The County will pay \$4.75 an hour to the League for services provided up to \$2,500. Term of the agreement is September 1, 2004 to August 31, 2005.  
(C-04-0475)

7) **NEW BUSINESS:**

- A. A resolution in the matter of County Final Plat 04075, Oak Prairie Estates, requested by Brian D. Carstens and Associates on behalf of Oak Prairie, L.L.C., consisting of three lots on property generally located at Northwest 140th Street and West Holdrege Street in Lancaster County, Nebraska. (R-04-0122)
- B. A subdivision agreement with Oak Prairie, L.L.C., filed by Brian D. Carstens and Associates, for County Final Plat 04075, Oak Prairie Estates, on property generally located at Northwest 140th Street and West Holdrege Street in Lancaster County, Nebraska. (C-04-0478)
- C. A resolution in the matter of County Special Permit 04041, Masek's First Addition Community Unit Plan, requested by Brian D. Carstens and Associates on behalf of 3801 Harney L.L.C., to create nine residential acreage units on property generally located southeast of the intersection of Northwest 27th Street and West Mill Road in Lancaster County, Nebraska. (R-04-0121)
- D. A resolution in the matter of County Preliminary Plat 04019, Masek's First Addition, requested by Brian D. Carstens and Associates, on behalf of 3801 Harney L.L.C. for nine residential acreage lots on property generally located southeast of the intersection of Northwest 27th Street and West Mill Road in Lancaster County, Nebraska.  
(R-04-0120)
- E. An agreement between Lancaster County and Melissa Beecher to act as a juvenile justice consultant in the area of oversight, program assessment/evaluation and coordination of the juvenile justice system. Term of the agreement is October 1, 2004 through June 30, 2005. The County will pay up to \$30,000 for such services.  
(C-04-0479)

7) **NEW BUSINESS CONTINUED:**

- F. A grant contract with Legal Aid of Nebraska for funding for the Family Law Program, in the amount of \$29,050. Term of the grant contract is July 1, 2004 to June 30, 2005. (C-04-0480)
- G. A grant contract with Lincoln Action Program, Inc. for funding for the following programs:
- Lincoln Action Program Education Outreach, in the amount of \$10,000
  - Eviction Protection/Coalition of Landlord and Tenants, in the amount of \$30,000
  - Emergency Services/Family Preservation, in the amount of \$66,150
  - Project C.H.I.R.P (Communities Helping Immigrants and Refugees Progress), in the amount of \$10,500
- Total amount of the grant will be \$116,650. Term of the contract is July 1, 2004 to June 30, 2005. (C-04-0481)
- H. A grant contract with Cedars Youth Services, Inc. for funding for the Teaching and Learning with Children (TLC) Housing, in the amount of \$85,000 and the Youth Emergency Shelter Services (Freeway Station), in the amount of \$190,000. Total amount of the grant will be \$275,000. Term of the contract is July 1, 2004 to June 30, 2005. (C-04-0482)
- I. A grant contract with Matt Talbot Kitchen for the Hunger Relief and Outreach Program, in the amount of \$5,000. Term of the contract is July 1, 2004 to June 30, 2005. (C-04-0483)
- J. A grant contract with VolunteerLinc d/b/a Volunteer Partners, for funding to administer the Emergency Volunteer Center Project, in the amount of \$5,000. Term of the contract is July 1, 2004 to June 30, 2005. (C-04-0484)
- K. A grant contract with VolunteerLinc d/b/a Volunteer Partners for funding to monitor the Low Income Transportation pilot project, in the amount of \$2,000. Term of the contract is September 1, 2004 to March 31, 2005. (C-04-0485)
- L. A grant contract with the Clyde Malone Community Center to assist in providing funding for the Drug Education for Youth (D.E.F.Y.) Project, an intensive year long program offered in conjunction with the National Guard that targets youth ages 9-12 years of age, in the amount of \$25,000. Term of the contract is September 1, 2004 to August 31, 2005. (C-04-0487)
- M. A contract with Sprague Roofing Company, in the amount of \$61,400, to remove the existing roof and install a new roof at Midtown Center, located at 2966 "O" Street, Lincoln, Nebraska. The contract will begin upon notice to proceed by Lancaster County and will be completed 90 days after the notice to proceed. (C-04-0486)

7) **NEW BUSINESS CONTINUED:**

- N. An agreement between Lancaster County and the Village of Hallam for a front-end loader and operator to aid Hallam in the debris clean up process. Term of the agreement is June 3, 2004 through June 12, 2004. Hallam will compensate the County at a rate of \$20.50 per hour for the use of the front-end loader, and compensate the County for the operator's hourly salary and benefits. The agreement allows Hallam to be reimbursed for such expenses by the Federal Emergency Management Agency (FEMA). (C-04-0488)
- O. Change order supplemental agreement number one with Don McKinney, Inc. for Project 05-02, Repair of the Hallam Patrol Station. The original contract was approved on September 7, 2004. The change order will increase the contract amount by an additional \$1,373. (C-04-0489)
- P. An engineering agreement with Speece-Lewis Engineers for hydraulic analysis, roadway design, bridge design and plan preparation for the construction of a bridge and associated road improvements on Panama Road at its intersection with an unnamed tributary of the Hickman Branch of Salt Creek. The work will be completed by February 25, 2005. The County will pay \$11,700 for the services. (C-04-0491)
- Q. A network provider contract with the Regional Behavioral Health authority (Region V) for the provision of certain mental health, alcoholism, substance abuse and related behavioral mental health services at the Community Mental Health Center. Term of the agreement is from July 1, 2004 to June 30, 2005. The County will be reimbursed up to \$4,313,859 for the services. (C-04-00493)
- R. An amendment to a cooperative agreement with the State of Nebraska, Department of Health and Human Services for the Intensive Care Coordination Unit (ICCU). The amendment extends the agreement through January 31, 2005, increases the number of State wards the County will serve, and increases the number of Care Coordinators the County will employ. (C-04-0490)
- S. A resolution in the matter of witness fees paid by Lancaster County which have remained unclaimed for six months or more. (R-04-0123)
- T. Recommendation from the Purchasing Agent and the County Engineering Department to award a bid to Plains Power and Equipment, Inc., in the amount of \$78,342, for two PTO H.P. tractors. (B-04-0043)
- U. Authorization of Wells Fargo Bank, as trustee, to disburse and make payment from the Lancaster County Limited Tax Building 2004 Construction Fund to the following payees: ICI Paints, in the amount of \$76.55, for paint for Midtown Center; to Alltel, in the amount of \$42.50, for telephone service at Midtown Center and to Engineering Technologies, Inc., in the amount of \$18,572.88, for mechanical and electrical consulting at the old Attention Center. Total payment request is \$18,691.93.

7) **NEW BUSINESS CONTINUED:**

V. Request from the Lancaster County Personnel Policy Board to amend Personnel Rule 19.3 regarding sick leave.

8) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Receive and Place on File:

1. County Clerk's Monthly Report for September, 2004.
2. Lancaster Manor's Monthly Report.
3. Records and Information Management's Monthly Report for September, 2004.
4. County Treasurer's Report on 2001 Distress Warrants.
5. Noxious Weed Control Authority's Monthly Report for September, 2004.
6. Noxious Weed Control Authority's Monthly Report for the Combined Weed Program with the City of Lincoln for September, 2004.

B. Request from Jolene John, an employee with the Lancaster County Treasurer's Office, to voluntarily participate in the County's Retirement Plan having met the requirements.

C. A quitclaim deed between Lancaster County and Douglas D. and Victoria L. Moser for property located on Rokeby Road between South 56th and South 70th Streets.

9) **EMERGENCY ITEMS AND OTHER BUSINESS:**

10) **ANNOUNCEMENTS:**

A. The Lancaster County Board of Commissioners will hold a staff meeting on Tuesday, October 12, 2004, beginning at 12 p.m., in Room 113, on the first floor of the County-City Building.

B. The Lancaster County Board of Commissioners will not hold a staff meeting on Thursday, October 14, 2004. Instead a Management Team Retreat will be held at James Arthur Vineyards, located at 2001 West Raymond Road, Raymond, Nebraska, from 8 a.m. to 4 p.m..

C. Public hearings will be held on Tuesday, October 19, 2004, at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County City Building regarding the following:

1. Vacation of a portion of George Street within the unincorporated area of Agnew, located in the Southwest Quarter of Section 12, Township 12 North, Range 5 East, in Lancaster County, Nebraska.

10) **ANNOUNCEMENTS CONTINUED:**

2. **County Final Plat 04064, Four Winds Estates Addition**, requested by Brian D. Carstens and Associates on behalf of Harlan and Judith Stiefel, consisting of four lots, on property generally located at S.W. 84<sup>th</sup> Street and West Old Cheney Road in Lancaster County, Nebraska.

3. **County Special Permit 04046, Mustang Ridge Community Unit Plan**, requested by Brian D. Carstens and Associates on behalf of Robert and Michelle Benes, for four residential acreages on property generally located southeast of the intersection of N.W. 27<sup>th</sup> Street and West Agnew Road, in Lancaster County, Nebraska.

4. **County Preliminary Plat 04020, Mustang Ridge**, requested by Brian D. Carstens and Associates on behalf of Robert and Michelle Benes, for four residential acreage lots on property generally located southeast of the intersection of N.W. 27<sup>th</sup> Street and West Agnew Road, in Lancaster County, Nebraska.

- D. A public hearing will be held on Tuesday, October 26, 2004 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building to allow interested parties the opportunity to testify, either for or against, the sale of county property, generally located at 3830 Adams Street, Lincoln, Nebraska, legally described as Wesleyan Heights, Lots 94-98, and to also determine the fair market value of the property.
- E. A public hearing regarding Comprehensive Plan Amendment 04020, requested by the Director of Planning on behalf of the Nebraska Department of Roads, to amend the Mobility and Transportation element of the 2025 Lincoln/Lancaster County Comprehensive Plan, to upgrade U.S. Highway 77/West Bypass from an expressway to freeway status beginning at the planned South Beltway interchange just south of Saltillo Road and ending at Interstate 80 will be reconvened on Tuesday, December 7, 2004 in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building at 1:30 p.m..
- F. The Lancaster County Board of Commissioners meeting which is broadcast live at 1:30 p.m. on Tuesdays will be rebroadcast tonight at 6:30 p.m. and again on Saturday afternoon immediately following the City Council meeting rebroadcast on 5 City-TV, Cable Channel 5. In addition, this meeting may be viewed on the Internet 24 hours a day at <http://www.lancaster.ne.gov>. Click on 5 City-TV Video On Demand.

11) **PENDING:**

- A. A resolution in the matter of Comprehensive Plan Amendment 04020, requested by the Director of Planning, on behalf of the State of Nebraska, Department of Roads, to upgrade U.S. Highway 77/West Bypass from an expressway to freeway status, as provided in Exhibit "A". (R-04-0113)

11) **PENDING CONTINUED:**

- B. Public hearing regarding County Change of Zone 04053, from AG Agricultural District to AGR Agricultural Residential District, requested by Mark Hunzeker on behalf of Wapiti Enterprises, Inc., on property generally located at the southeast corner of Southwest 40<sup>th</sup> Street and Rokeby Road in Lancaster County, Nebraska. (Recessed on September 28, 2004.)

12) **ADJOURNMENT:**

This agenda, which is kept continually current, is available for inspection in the office of the County Clerk in Lancaster County, Nebraska.

**NOTE:** Interpreters for the hearing impaired are available at the meetings of the County Board upon request. Please contact the County Clerk's Office at 441-7481 at least 48 hours prior to the meeting if this accommodation is required, or if you have any other special communication needs requiring assistance. Telex Sound Masters are also available for audio enhancement during the meeting.

The Board of Commissioners Agenda and Minutes may be accessed on the Internet at <http://www.lancaster.ne.gov> on the County Clerk's website.

**AGENDA**  
**LANCASTER COUNTY BOARD OF EQUALIZATION**  
**TUESDAY, OCTOBER 12, 2004**  
**COUNTY COMMISSIONERS HEARING ROOM, ROOM 112**  
**FIRST FLOOR, COUNTY-CITY BUILDING**  
**IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS**  
**MEETING**

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, October 5, 2004. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.lancaster.ne.gov>).
- 2) **PUBLIC COMMENT:** The public comment period is limited to thirty (30) minutes in duration and each speaker is limited to five (5) minutes. These time limits may be extended at the discretion of the County Board Chair. Comments will be limited to items on the agenda.

3) **ADDITIONS AND DEDUCTIONS:**

Approval of 10 additions and deductions to the tax assessment rolls per Exhibit "A".

4) **MOTOR VEHICLE TAX EXEMPTIONS:**

Good News Broadcasting Association, Inc.  
Lincoln Medical Education Partnership  
Northern Lighthouse

St. Paul United Methodist Church  
Southeast Nebraska Mobile Diagnostic  
Services

5) **CERTIFICATION OF TAX LEVIES:**

Certification of 2004-2005 tax levies for Lancaster County, Nebraska.

6) **451 TAX EXEMPTIONS ON REAL PROPERTY:**

Southeast Nebraska Youth for Christ  
Transfiguration, Inc.  
Sheridan Lutheran Church  
Catholic Bishop  
Kansas-Nebraska Association of Seventh-day Adventists  
Cedar Hill Church  
Cedar Hill Cemetery

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7) **NOTICE OF ASSESSED VALUATION CHANGE FOR THE FOLLOWING:**

Sheridan Lutheran Church  
Catholic Bishop of Lincoln

8) **ADJOURNMENT:**